



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting
June 25, 2018

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:04 P.M.

Present: DuBois, Filseth, Fine, Holman, Kniss, Kou, Tanaka, Wolbach

Absent: Scharff

Closed Session

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Government Code Section 54956.9(d)(2) and (e)(1):
Four Potential Cases.

MOTION: Vice Mayor Filseth moved, seconded by Council Member Wolbach to go into Closed Session.

MOTION PASSED: 8-0 Scharff absent

Council went into Closed Session at 5:05 P.M.

Council returned from Closed Session at 6:47 P.M.

Mayor Kniss announced no reportable action.

Special Orders of the Day

- 1A. Proclamation Recognizing the Month of June 2018 as Lesbian, Gay, Bisexual, and Transgender Pride Month.

Agenda Changes, Additions and Deletions

MOTION: Vice Mayor Filseth moved, seconded by Council Member Kou to continue Agenda Item Number 32- Recommended Terms of Agreement for Fire Protection Services to Stanford University... to a date uncertain.

MOTION PASSED: 8-0 Scharff absent

ACTION MINUTES

Minutes Approval

2. Approval of Action Minutes for the June 11, 12, 18, and 19, 2018 Council Meetings.

MOTION: Council Member DuBois moved, seconded by Council Member Holman to approve the Action Minutes for the June 11, 12, 18, and 19, 2018 Council Meetings.

MOTION PASSED: 8-0 Scharff absent

Consent Calendar

Council Member Holman registered a no vote on Agenda Item Number 23- SECOND READING: Adoption of an Ordinance Amending Palo Alto Municipal Code Title 18 (Zoning) Chapter 18.30 (Combining Districts) to add a new Combining District to Allow for Higher Density Multi-family Housing...

Council Member Kou registered no votes on Agenda Item Numbers 8- QUASI-JUDICIAL/PUBLIC HEARING 2515-2585 El Camino Real [17PLN-00448]..., 18- QUASI-JUDICIAL/PUBLIC HEARING. 3225 El Camino Real [17PLN-00007]..., 23- SECOND READING: Adoption of an Ordinance Amending Palo Alto Municipal Code Title 18 (Zoning) Chapter 18.30 (Combining Districts) to add a new Combining District to Allow for Higher Density Multi-family Housing..., and 24- Approval of Contract Number C18171717 With Perkins + Will...

Council Member Tanaka registered no votes on Agenda Item Numbers 10- Approval and Authorization for the City Manager or his Designee to Execute the Following six Utilities Public Benefits Program Contract Amendments..., 14- Adoption of a Memorandum of Agreement and Salary Schedule..., 16- Approval of a Contract With Summit Uniforms..., and 22- Approval of a Five-year Contract With All City Management Services, Inc...

MOTION: Council Member Fine moved, seconded by Council Member DuBois to approve Agenda Item Numbers 3-28A, including changes to Agenda Item Number 8- QUASI-JUDICIAL/PUBLIC HEARING 2515-2585 El Camino Real [17PLN-00448]... outlined in the At Place Staff Memorandum.

3. Approval of Contract Number C18171689 With Toubar Equipment Company, Inc. for a Not-to-Exceed Amount of \$716,030 for Landfill Gas Collection and Control System and Leachate Collection System Improvements at the Palo Alto Landfill Over a Term of 90 Days.

ACTION MINUTES

4. Approval and Authorization for the City Manager to Execute an Electric Enterprise Fund Professional Services Contract With Activu Corporation in the Amount of \$438,006, Including Change Orders for Additional Related but Unforeseen Work in the Amount of \$43,800, for a Total Not-to-Exceed Amount of \$481,006, for the Utility Control Room Upgrade Project.
5. Approval of a General Services Contract With O'Grady Paving, Inc. for Maintenance of the Renzel Marsh Freshwater Pond for a Total Not-to-Exceed Amount of \$511,500 Over a Four-month Term.
6. Approval of a Five-year Contract With Telecommunications Engineering Associates (TEA) in a Total Not-to-Exceed Amount of \$500,000 for Annual Maintenance Services of Legacy Radio Infrastructure Plus a Contingency Not-To-Exceed Amount of \$25,000 per Year for Additional Services.
7. Approval of Contract Number C18172268 With Municipal Resources Group for Council Appointed Officers Performance Evaluation for a Duration Through June 30, 2019 With the Option to Extend two Additional Years for a Total Not-to-Exceed Amount of \$180,000.
8. QUASI-JUDICIAL/PUBLIC HEARING 2515-2585 El Camino Real [17PLN-00448]: Recommendation on Applicant's Request for Approval of a Vesting Tentative Map to Merge two Lots and Subdivide the Combined 39,953 Square Foot lot Into 13 Residential Condominiums and up to 13 Retail Commercial Units. The Subdivision Map Would Facilitate Construction of the Previously Approved 39,858 Square Foot Mixed-use Development Project (15PLN-00170). Environmental Assessment: Reuse of a Previously Adopted Initial Study/Mitigated Negative Declaration Prepared for the Associated Development Application (15PLN-00170). Zoning District: Neighborhood Commercial (CN) and Community Commercial (CC) (2) Zoning District.
9. Approval of Amendment Number 1 to the Agreement With Palo Alto Unified School District (PAUSD) for PAUSD Athletic Field Brokering and Maintenance Cost-sharing to Extend the Term to December 2019.
10. Approval and Authorization for the City Manager or his Designee to Execute the Following six Utilities Public Benefits Program Contract Amendments: 1) Amendment Number 1 to CLEAResult Consulting, Inc. C15159135 Increasing Compensation by \$910,000 and Extending the Term for Three Additional Years; 2) Amendment Number 1 to Eagle Systems International, Inc. DBA Synergy Companies C15159126 Number 2 to Eagle Systems International, Inc. DBA Synergy

ACTION MINUTES

Companies C15159125 Increasing Compensation by \$900,000 and Extending the Term for Three Additional Years; 4) Amendment Number 1 to Ecology Action of Santa Cruz C15155144A With no Increase in Compensation and Extending the Term for two Additional Years; 5) Amendment Number 1 to Enovity, Inc. C15155144B With no Increase in Compensation and Extending the Term for two Additional Years; and 6) Amendment Number 1 to BASE Energy, Inc. C15155144C With no Increase in Compensation.

11. Policy and Services Committee Recommends Approval of the Status Update of the Community Services Department: Fee Schedule Audit.
12. Resolution 9779 Entitled, "Resolution of the Council of the City of Palo Alto Determining the Proposed Calculation of the Appropriations Limit for Fiscal Year 2019."
13. Approval of a Construction Contract With Vortex Marine Construction, Inc. in the Amount of \$1,097,281 for the Baylands Boardwalk Improvements Capital Improvement Project PE-14018 and Approve Budget Amendments in the Capital Improvement Fund and the Parkland Dedication Fee Fund.
14. Adoption of a Memorandum of Agreement and Salary Schedule Between the City of Palo Alto and the Palo Alto Peace Officers' Association Effective July 1, 2018 to June 30, 2021.
15. Approval of the Renewal of Three Public-private Partnership Agreements Between the City of Palo Alto and TheatreWorks, Palo Alto Players, and West Bay Opera for the use of the Lucie Stern Community Theatre.
16. Approval of a Contract With Summit Uniforms for Five-years for a Maximum Compensation Amount Not-to-Exceed \$520,000 (\$104,000/Year) for the Purchase of Police, Fire, and Park Ranger Uniforms and Related Equipment.
17. Approval of Contract Number C18172676 With Dixon Resources Unlimited for a Total Not-to-Exceed Amount of \$285,126 for Support of the City's Parking Programs for a One-year Term, and Exemption of the Contract From Competitive Solicitation Requirements.
18. QUASI-JUDICIAL/PUBLIC HEARING. 3225 El Camino Real [17PLN-00007]: Request for a Vesting Tentative Map to Subdivide a 29,962 Square Foot Parcel Into two Parcels Comprised of one Commercial Parcel and one Residential Parcel for Condominium

ACTION MINUTES

Purposes. Environmental Assessment: An Initial Study Mitigated Negative Declaration (IS-MND) was Previously Prepared for an Associated Development Application (15PLN-00003) That was Approved by the Director of Planning and Community Environment on April 21, 2016. Zoning District: Service Commercial (CS).

19. Approval of Amendment Number 4 to the Agreement With the Peninsula Corridor Joint Powers Board for Rail Shuttle Bus Service Administration to Extend the Term of the Agreement for One-year and for the City to Provide an Additional \$130,600 for Community Shuttle Service on the Existing Embarcadero Shuttle Route From July 2018 Until June 2019.
20. Approval of Contract Amendment Number Three to Contract Number C15158029 With Schaaf & Wheeler Consulting Civil Engineers to Increase the Construction Support Budget in the Amount of \$21,000 for Additional Work and to Extend the Contract Term for the Matadero Creek Storm Water Pump Station Capital Improvement Program Project SD-13003.
21. Resolution 9780 Entitled, "Resolution of the Council of the City of Palo Alto Expressing Appreciation to Lalo Perez Upon his Retirement."
22. Approval of a Five-year Contract With All City Management Services, Inc., Effective August 1, 2018, in the Not-to-Exceed Amount of \$3,096,779 for Crossing Guard Services for the Palo Alto Unified School District and Approval of a Budget Amendment in the General Fund.
23. Ordinance 5443 Entitled, "Ordinance of the Council of the City of Palo Alto Amending Palo Alto Municipal Code Title 18 (Zoning) Chapter 18.30 (Combining Districts) to add a new Combining District to Allow for Higher Density Multi-family Housing That Includes a Workforce Housing Component to be Located on Public Facilities Zoned Properties Within 0.5 Miles of Fixed Rail Transit Stations;" and Ordinance 5444 Entitled, "Ordinance of the Council of the City of Palo Alto Amending the Zoning Map to Apply the new Combining District to the Subject Property at 2755 El Camino Real (FIRST READING: June 4, 2018 PASSED: 7-2 Holman, Kou no)."
24. Approval of Contract Number C18171717 With Perkins + Will for the Professional Services Related to the Preparation of the North Ventura Coordinated Area Plan for an Amount Not-to-Exceed \$769,068 Over a 2.5-Year Term.

ACTION MINUTES

25. Policy and Services Recommendation to Accept the Continuous Monitoring Audit: Overtime.
26. Direction to the City Manager to set Aside \$3 Million in Affordable Housing Funds for a Potential Teacher Housing Project at 231 Grant Avenue.
27. Ordinance 5445 Entitled, "Ordinance of the Council of the City of Palo Alto Amending Palo Alto Municipal Code (PAMC) Title 18 (Zoning), Chapter 18.28 (Special Purpose (PF, OS and AC) Districts), Sections 18.28.050, 18.28.060, and 18.28.090 to Revise the Public Facilities (PF) Zone Parking and Development Standards to Allow Council Approval of Exceptions to PF Development Standards, Including Setback Lines Imposed by a Special Setback Map, and Required Parking Location for City Parking Facilities in the Downtown and California Avenue Business District and for Essential Services Buildings, and Make Other Clerical or Technical Corrections (FIRST READING: June 11, 2018 PASSED: 8-0 Tanaka not Participating)."
28. Approval of Amendment Number One to Professional Services Contract Number C16161182 With Freytag & Associates to Extend the Term of the Agreement for One and a Half Years (1.5 years) to end December 31, 2019 with no Additional Cost to the City for Professional Services Related to Airplane Noise Assessment and Mitigation.
- 28A. Approval of a Contract With MNS Engineers, Inc. in an Amount Not-to-Exceed \$267,000 for a One-year Term for Operation Group Support Services at the Regional Water Quality Control Plant.

MOTION FOR AGENDA ITEM NUMBERS 3-7, 9, 11-13, 15, 17, 19-21, 25-28A PASSED: 8-0 Scharff absent

MOTION FOR AGENDA ITEM NUMBERS 8, 18, AND 24 PASSED: 7-1 Kou no, Scharff absent

MOTION FOR AGENDA ITEM NUMBERS 10, 14, 16, AND 22 PASSED: 7-1 Tanaka no, Scharff absent

MOTION FOR AGENDA ITEM NUMBER 23 PASSED: 6-2 Holman, Kou no, Scharff absent

Action Items

29. PUBLIC HEARING: Resolution 9781 Entitled, "Resolution of the Council of the City of Palo Alto Confirming Weed Abatement Report and

ACTION MINUTES

Ordering Cost of Abatement to be a Special Assessment on the Respective Properties Described Therein.”

Public Hearing opened and closed without public comment at 7:50 P.M.

MOTION: Vice Mayor Filseth moved, seconded by Mayor Kniss to adopt a Resolution confirming the report and ordering abatement costs to be a special assessment on the properties specified in the report.

MOTION PASSED: 8-0 Scharff absent

30. Resolution 9782 Entitled, “Resolution of the Council of the City of Palo Alto Related to the Downtown Residential Preferential Parking (RPP) Program Reducing or Otherwise Amending the Number of Employee Parking Permits and Making Related Changes, Modifying or Maintaining the Prohibition on Re-parking in the RPP District More Than two Hours After Initially Parking, and Making Other Clarifying Modifications to Resolution 9671. California Environmental Quality Act (CEQA): Exempt Pursuant to CEQA Guidelines Section 15061(b)(3) (Continued From April 2, 2018).”

MOTION: Mayor Kniss moved, seconded by Council Member Fine to:

- A. Adopt a Resolution to amend the Downtown Residential Preferential Parking (RPP) Program Resolution No. 9671, reducing the number of employee permits to 1,200 and making other clarifying changes;
- B. Direct Staff to make corresponding changes to the Administrative Guidelines for the residential preferential parking programs;
- C. Direct Staff to amend the Resolution to modify the prohibition on “re-parking” in the RPP District after two hours has expired from the time of initial parking; and
- D. Find these actions exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15301 (Existing Facilities) of Title 14 of the California Code of Regulations.

SUBSTITUTE MOTION: Vice Mayor Filseth moved, seconded by Council Member DuBois to:

- A. Adopt a Resolution to amend the Downtown Residential Preferential Parking (RPP) Program Resolution No. 9671, reducing the number of employee permits to 1,000, and making other clarifying changes,

ACTION MINUTES

including permit allocation as outlined in the At Place Staff Memorandum;

- B. Direct Staff to make corresponding changes to the Administrative Guidelines for the residential preferential parking programs;
- C. Direct Staff to amend the Resolution to modify the prohibition on “re-parking” in the RPP District after two hours has expired from the time of initial parking; and
- D. Find these actions exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15301 (Existing Facilities) of Title 14 of the California Code of Regulations.

INCORPORATED INTO THE SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Substitute Motion Part A, “with 200 permits in reserve” after “to 1,000.”

SUBSTITUTE MOTION AS AMENDED RESTATED: Vice Mayor Filseth moved, seconded by Council Member DuBois to:

- A. Adopt a Resolution to amend the Downtown Residential Preferential Parking (RPP) Program Resolution No. 9671, reducing the number of employee permits to 1,000, with 200 permits in reserve, and making other clarifying changes, including permit allocation as outlined in the At Place Staff Memorandum;
- B. Direct Staff to make corresponding changes to the Administrative Guidelines for the residential preferential parking programs;
- C. Direct Staff to amend the Resolution to modify the prohibition on “re-parking” in the RPP District after two hours has expired from the time of initial parking; and
- D. Find these actions exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15301 (Existing Facilities) of Title 14 of the California Code of Regulations.

SUBSTITUTE MOTION AS AMENDED PASSED: 5-3 Fine, Kniss, Tanaka no, Scharff absent

- 31. Review and Provide Direction to Staff on the Stanford University General Use Permit 2018 Re-circulated Draft Environmental Impact Report.

ACTION MINUTES

MOTION: Council Member DuBois moved, seconded by Council Member Fine to direct Staff to draft a letter in response to the Stanford University General Use Permit 2018 Re-circulated Draft Environmental Impact Report emphasizing previous Council Member comments and incorporating comments from Council Members.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion , “if Santa Clara County agrees to a deadline extension, direct Staff to return the draft letter to Council on Consent on July 30, 2018.”

AMENDMENT: Council Member Holman moved, seconded by Council Member XX to add to the Motion, “if an extension is not granted, direct Staff to forward the draft letter to Council Members.”

AMENDMENT FAILED DUE TO THE LACK OF A SECOND

MOTION AS AMENDED RESTATED: Council Member DuBois moved, seconded by Council Member Fine to direct Staff to draft a letter in response to the Stanford University General Use Permit 2018 Re-circulated Draft Environmental Impact Report emphasizing previous Council Member comments and incorporating comments from Council Members, if Santa Clara County agrees to a deadline extension, return the draft letter to Council on Consent on July 30, 2018.

MOTION AS AMENDED PASSED: 8-0 Scharff absent

32. ~~Recommended Terms of Agreement for Fire Protection Services to Stanford University for the Period January 1, 2018 June 30, 2023 and Settlement of Prior Claim for Overpayment (Staff Requests This Item be Continued to a Date Uncertain).~~

State/Federal Legislation Update/Action

None.

Adjournment: The meeting was adjourned at 10:18 P.M.